



# A G E N D A

## IMPERIAL BEACH CITY COUNCIL REDEVELOPMENT AGENCY PLANNING COMMISSION PUBLIC FINANCING AUTHORITY



APRIL 15, 2009

Council Chambers  
825 Imperial Beach Boulevard  
Imperial Beach, CA 91932

**CLOSED SESSION MEETING – 5:00 P.M.**  
**REGULAR MEETING – 6:00 P.M.**

THE CITY COUNCIL ALSO SITS AS THE CITY OF IMPERIAL BEACH REDEVELOPMENT AGENCY, PLANNING COMMISSION, AND PUBLIC FINANCING AUTHORITY

The City of Imperial Beach is endeavoring to be in total compliance with the Americans with Disabilities Act (ADA). If you require assistance or auxiliary aids in order to participate at City Council meetings, please contact the City Clerk's Office at (619) 423-8301, as far in advance of the meeting as possible.

### **CLOSED SESSION CALL TO ORDER BY MAYOR**

### **ROLL CALL BY CITY CLERK**

### **CLOSED SESSION**

#### **CONFERENCE WITH LABOR NEGOTIATOR**

Pursuant to Government Code Section 54957.6:

Agency Negotiator: City Manager

Employee organizations: Imperial Beach Firefighters' Association (IBFA)  
Service Employees International Union (SEIU), Local 2028

#### **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**

Significant exposure to litigation pursuant to Government Code Section 54956.9(b):

Number of Potential Cases: 1

#### **RECONVENE AND ANNOUNCE ACTION (IF APPROPRIATE)**

### **REGULAR MEETING CALL TO ORDER BY MAYOR**

### **ROLL CALL BY CITY CLERK**

### **PLEDGE OF ALLEGIANCE**

### **AGENDA CHANGES**

### **MAYOR/COUNCIL REIMBURSEMENT DISCLOSURE/COMMUNITY ANNOUNCEMENTS/REPORTS ON ASSIGNMENTS AND COMMITTEES**

### **COMMUNICATIONS FROM CITY STAFF**

**PUBLIC COMMENT** - *Each person wishing to address the City Council regarding items not on the posted agenda may do so at this time. In accordance with State law, Council may not take action on an item not scheduled on the agenda. If appropriate, the item will be referred to the City Manager or placed on a future agenda.*

Any writings or documents provided to a majority of the City Council/RDA/Planning Commission/Public Financing Authority regarding any item on this agenda will be made available for public inspection in the office of the City Clerk located at 825 Imperial Beach Blvd., Imperial Beach, CA 91932 during normal business hours.

## **PRESENTATIONS (1.1-1.2)**

### **1.1 RECYCLE ALL-STAR AWARD PRESENTATION. (0270-30)**

City Manager's Recommendation: Present the Recycle All-Star Award Certificate, \$100.00 check and used oil-recycling premiums to Kelley Tracy.

### **1.2\* PRESENTATION ON SEWAGE TREATMENT IN TIJUANA BY HERNANDO DURAN, GENERAL DIRECTOR OF TIJUANA'S STATE COMMISSION OF PUBLIC SERVICES (COMISIÓN ESTATAL DE SERVICIOS PÚBLICOS DE TIJUANA [CESPT]). (0620-75)**

**CONSENT CALENDAR (2.1 - 2.8)** - All matters listed under Consent Calendar are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items, unless a Councilmember or member of the public requests that particular item(s) be removed from the Consent Calendar and considered separately. Those items removed from the Consent Calendar will be discussed at the end of the Agenda.

### **2.1 MINUTES.**

City Manager's Recommendation: Approve the minutes of the regular Workshop meetings of January 13 and January 14, 2009, and the regular City Council meeting of March 18, 2009.

### **2.2 RESOLUTION NO. 2009-6737 – AUTHORIZING SALE OF CERTAIN SURPLUS CITY EQUIPMENT. (0380-45)**

City Manager's Recommendation: Adopt resolution.

### **2.3 RESOLUTION NO. 2009-6733 – SETTING THE TIME AND PLACE FOR A PUBLIC HEARING AND FIRST READING OF ORDINANCE TO CONSIDER ADOPTION OF THE SEWER SERVICE CHARGE FOR FISCAL YEAR 2010. (0830-95)**

City Manager's Recommendation: Adopt resolution.

### **2.4 RESOLUTION NO. 2009-6735 – AUTHORIZING SETTING THE TIME AND PLACE FOR A PUBLIC HEARING TO REVIEW THE SETTING OF THE SEWER CAPACITY FEE. (0390-55)**

City Manager's Recommendation: Adopt resolution.

### **2.5 RESOLUTION NO. 2009-6736 – RATIFYING THE APPROVAL OF THE MODIFICATION OF DESIGN REVIEW (DRC-03-03-094) AND SITE PLAN REVIEW (SPR-03-093) FOR PROPOSED ROOFTOP PATIO/GARDEN AND HEIGHT LIMIT RELIEF FOR PROJECTIONS ON ROOF OF APPROVED SEACOAST INN REDEVELOPMENT PROJECT LOCATED AT 800 SEACOAST DRIVE IN THE C-2 (SEACOAST COMMERCIAL) ZONE AS APPROVED ON FEBRUARY 18, 2009 AND MARCH 4, 2009. MF 661. (0660-43)**

City Manager's Recommendation: Adopt resolution.

### **2.6 COASTAL DEVELOPMENT PERMIT (CP 060427) AND FINAL MAP (FM 060428) FOR THE PROPOSED CONDOMINIUM CONVERSION OF THIRTY-SEVEN (37) UNITS LOCATED AT 1037 AND 1047 SEACOAST DRIVE IN THE C-2 (SEACOAST COMMERCIAL) ZONE. MF 878. (0600-20)**

City Manager's Recommendation: Approve final map.

### **2.7 USE OF THE STATE'S TIRE FUND. (0460-40)**

City Manager's Recommendation: Authorize sending letter of support to Senator Ducheny for SB 167.

### **2.8 REJECTION OF TIMELY CLAIM FILED BY DIANNE SCHERTZER. (0190-10)**

City Manager's Recommendation: Deny the claim.

## **ORDINANCES – INTRODUCTION/FIRST READING (3.1)**

### **3.1 ORDINANCE NO. 2009-1084 – AN ORDINANCE REPEALING AND ADDING SECTION 3.04.160, RELATING TO PROFESSIONAL SERVICES CONTRACTING PROCESSES. (0400-95)**

City Manager's Recommendation:

1. Receive report;
2. Mayor calls for the reading of the title of Ordinance No. 2009-1084, "An ordinance of the City Council of the City of Imperial Beach, California, repealing and adding Section 3.04.160, relating to professional services contracting processes";
3. City Clerk to read title of Ordinance No. 2009-1084; and
4. Motion to dispense the first reading and introduce Ordinance No. 2009-1084 by title only.

## **ORDINANCES – SECOND READING & ADOPTION (4)**

None.

### **PUBLIC HEARINGS (5.1)**

- 5.1 KAMAL NONA (OWNER)/STOSH THOMAS (ARCHITECT); CONDITIONAL USE PERMIT (CUP 060398), DESIGN REVIEW (DRC 060399), SITE PLAN REVIEW (SPR 060400) FOR TWO MIXED USE DEVELOPMENTS WITH TWO RETAIL COMMERCIAL SPACES AND TWO RESIDENTIAL UNITS FOR EACH DEVELOPMENT (FOUR COMMERCIAL AND FOUR RESIDENTIAL UNITS TOTAL) LOCATED AT 1120, 1122 13<sup>TH</sup> STREET AND 1150, 1152 13<sup>TH</sup> STREET, IN THE C-3 (NEIGHBORHOOD COMMERCIAL) ZONE. MF 863. (0600-20)**

City Manager's Recommendation:

1. Declare the public hearing open;
2. Receive report and public testimony;
3. Close the public hearing; and
4. Adopt Resolution No. 2009-6734 – approving Conditional Use Permit (CUP 060398), Design Review Case (DRC 060399) and Site Plan Review (SPR 060400), which makes the necessary findings and provides conditions of approval in compliance with local and state requirements.

### **REPORTS (6.1 - 6.2)**

- 6.1 SEACOAST INN UPDATE. (0660-43)**

City Manager's Recommendation: Receive the update report and provide comments and/or direction as necessary.

- 6.2 RESOLUTION NO. 2009-6738 – APPROVING THE AMENDMENTS TO THE HEARTLAND COMMUNICATIONS FACILITY AUTHORITY JOINT POWERS AGREEMENT DELETING THE EAST COUNTY FIRE PROTECTION DISTRICT AS A MEMBER AGENCY AND REVISING THE FORMULA FOR ALLOCATION OF EXPENSES. (0250-20)**

City Manager's Recommendation: Adopt resolution.

### **ITEMS PULLED FROM THE CONSENT CALENDAR (IF ANY)**

### **ADJOURNMENT**

The Imperial Beach City Council welcomes you and encourages your continued interest and involvement in the City's decision-making process.

FOR YOUR CONVENIENCE, A COPY OF THE AGENDA AND COUNCIL MEETING PACKET MAY BE VIEWED IN THE OFFICE OF THE CITY CLERK AT CITY HALL OR ON OUR WEBSITE AT

[www.cityofib.com](http://www.cityofib.com).

Copies of this notice were provided on April 9, 2009 to the City Council, San Diego Union-Tribune, I.B. Eagle & Times, and I.B. Sun.

STATE OF CALIFORNIA)  
COUNTY OF SAN DIEGO) ss.  
CITY OF IMPERIAL BEACH)

AFFIDAVIT OF POSTING

I, Jacqueline M. Hald, CMC, City Clerk of the City of Imperial Beach, hereby certify that the Agenda for the Regular Meeting as called by the City Council, Redevelopment Agency, Planning Commission, and Public Financing Authority of Imperial Beach was provided and posted on April 9, 2009. Said meeting to be held at 5:00 p.m. April 15, 2009, in the Council Chambers, 825 Imperial Beach Boulevard, Imperial Beach, California. Said notice was posted at the entrance to the City Council Chambers on April 9, 2009 at 2:00 p.m.

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Jacqueline M. Hald, CMC  
City Clerk